

AMENDED IN ASSEMBLY MAY 1, 2006

AMENDED IN ASSEMBLY MARCH 15, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

No. 1953

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**Introduced by Assembly Member Chan**  
**(~~Coauthor: Assembly Member Koretz~~ Coauthors: Assembly**  
**Members Koretz and Lieber)**  
**(Coauthor: Senator Kuehl)**

February 2, 2006

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An act to amend, repeal, and add Section 116875 of the Health and Safety Code, relating to lead plumbing.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1953, as amended, Chan. Lead plumbing.

Existing law prohibits the use of any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any public water system or any plumbing in a facility providing water for human consumption, except as specified.

Existing law prohibits the introduction into commerce of any pipe, pipe or plumbing fitting, or fixture, except for a pipe that is used in manufacturing or industrial processing.

Existing law defines lead free as not more than 8% lead when used with respect to pipes and fittings and not more than 4% by dry weight with respect to plumbing fittings and fixtures.

This bill would, commencing on ~~an unspecified date~~ *July 1, 2008*, revise the term lead free to mean not more than 0.25% lead when used with respect to pipes and pipe fittings, plumbing fittings, and fixtures.

Existing law requires the State Department of Health Services to adopt building standards to implement the above prohibitions. Appropriate state and local building and health officials are required to enforce these standards.

By increasing the duties of local officials, this bill ~~will~~ *would* impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 116875 of the Health and Safety Code
- 2 is amended to read:
- 3 116875. (a) No person shall use any pipe, pipe or plumbing
- 4 fitting or fixture, solder, or flux that is not lead free in the
- 5 installation or repair of any public water system or any plumbing
- 6 in a facility providing water for human consumption, except
- 7 when necessary for the repair of leaded joints of cast iron pipes.
- 8 (b) No person shall introduce into commerce any pipe, pipe or
- 9 plumbing fitting, or fixture, that is not lead free, except for a pipe
- 10 that is used in manufacturing or industrial processing.
- 11 (c) No person engaged in the business of selling plumbing
- 12 supplies, except manufacturers, shall sell solder or flux that is not
- 13 lead free.
- 14 (d) No person shall introduce into commerce any solder or
- 15 flux that is not lead free unless the solder or flux bears a
- 16 prominent label stating that it is illegal to use the solder or flux in
- 17 the installation or repair of any plumbing providing water for
- 18 human consumption.
- 19 (e) For the purposes of this section, "lead free" means not
- 20 more than 0.2 percent lead when used with respect to solder and
- 21 flux and not more than 8 percent when used with respect to pipes

1 and pipe fittings. With respect to plumbing fittings and fixtures,  
2 “lead free” means not more than 4 percent by dry weight after  
3 August 6, 2002, unless the department has adopted a standard,  
4 based on health effects, for the leaching of lead.

5 (f) This section shall remain in effect only until ~~January 1,~~  
6 ~~\_\_\_\_\_~~, *July 1, 2008*, and as of that date is repealed, unless a later  
7 enacted statute, that is enacted before ~~January 1, \_\_\_\_\_~~, *July 1,*  
8 *2008*, deletes or extends that date.

9 SEC. 2. Section 116875 is added to the Health and Safety  
10 Code, to read:

11 116875. (a) No person shall use any pipe, pipe or plumbing  
12 fitting or fixture, solder, or flux that is not lead free in the  
13 installation or repair of any public water system or any plumbing  
14 in a facility providing water for human consumption, except  
15 when necessary for the repair of leaded joints of cast iron pipes.

16 (b) No person shall introduce into commerce any pipe, pipe or  
17 plumbing fitting, or fixture, that is not lead free, except for a pipe  
18 that is used in manufacturing or industrial processing.

19 (c) No person engaged in the business of selling plumbing  
20 supplies, except manufacturers, shall sell solder or flux that is not  
21 lead free.

22 (d) No person shall introduce into commerce any solder or  
23 flux that is not lead free unless the solder or flux bears a  
24 prominent label stating that it is illegal to use the solder or flux in  
25 the installation or repair of any plumbing providing water for  
26 human consumption.

27 (e) For the purposes of this section, “lead free” means not  
28 more than 0.2 percent lead when used with respect to solder and  
29 flux and not more than 0.25 percent when used with respect to  
30 pipes and pipe fittings, plumbing fittings, and fixtures.

31 (f) This section shall become operative on ~~January 1, \_\_\_\_\_~~.  
32 *July 1, 2008*.

33 SEC. 3. If the Commission on State Mandates determines that  
34 this act contains costs mandated by the state, reimbursement to  
35 local agencies and school districts for those costs shall be made  
36 pursuant to Part 7 (commencing with Section 17500) of Division  
37 4 of Title 2 of the Government Code.